

U.S. Patent Application Serial No. 10/560,049  
Response to OA dated August 22, 2007

REMARKS

The allowability of Claims 3, 4, 6, 9, 11, 15 and 17 is acknowledged. However, the Applicants desire to now amend Claims 3 and 6 to remove a feature previously found in Claim 2, from which Claims 3 and 6 depended. The portion of Claim 2 which is removed is:

“said microfiltration device comprises a primary side circulation path for circulating the liquid to be treated and a discharge path which is bifurcated therefrom to discharge concentrated liquid, an open/close valve being provided on said discharge path and said control unit controlling the discharge of said concentrated liquid by opening said open/close valve at predetermined time intervals set in accordance with the type of the liquid to be treated”.

The invention of Claim 3 includes the feature of “said control unit control the discharge of said concentrated liquid by opening the open/close valve when the concentration of the concentrated liquid in the primary side circulation path, which is detected by said concentration detection unit, exceeds a predetermined value”.

The invention of Claim 6 includes the feature:

“said control unit output a warning signal such as a light or sound for advancing opening of said open/close valve following the elapse of a predetermined time period set in accordance with the type of the liquid to be treated”.

As shown above, Claims 1, 2, 5, 8 and 19-22 are cancelled without prejudice or disclaimer. Claims 3 and 6 are amended to be in independent form Claims 7 and 9-18 are amended to depend

U.S. Patent Application Serial No. 10/560,049  
Response to OA dated August 22, 2007

from Claim 3. It is respectfully submitted that no new matter is entered. It is believed that this amendment is fully responsive to the Office Action mailed on August 22, 2007.

In the Office Action, Claims 1-2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Silinski et al. (U.S. Patent No. 5,102,503) in view of Noboru (JP 08-108020) and further in view of Hormann et al. (U.S. Patent 6,482,124);

Claims 5, 7, 10, 13, 14 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Silinski as applied to Claims 1 and 2 above, in view of Noboru, and Hormann et al., and further in view of Tarou (JP 07-280696);

Claims 12 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Silinski, Noboru, and Hormann et al. as applied to Claims 1 and 2 above, and further in view of Kulbeth (U.S. Patent No. 6,808,626); and

Claims 8, 19, 20, 21 and 22 are rejected under 35 U.S.C. § 103(a) as unpatentable over Silinski, Noboru and Hormann as applied to Claims 1 and 2 above, and further in view of Yu et al. (U.S. Patent No. 4,411,785).

It is believed that the above rejections are now moot in view of the above-discussed amendments.

U.S. Patent Application Serial No. 10/560,049  
Response to OA dated August 22, 2007

It is further believed that the invention of **Claims 3, 4, 6, 7 and 9-18** is distinct from and non-obvious in view of Silinski et al., Noboru, Hormann et al., Tarou, Kulbeth and Yu et al. in view of the Examiner's statement of Reasons for Allowance found on page 17 of the Office Action. The Examiner's statement includes the features of Claims 3 and 6 mentioned in the Remarks found on page 9, above.

In view of the aforementioned amendments and accompanying remarks, Claims 3, 4, 6, 7 and 9-18, as amended, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. 10/560,049  
Response to OA dated August 22, 2007

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP

*James N. Baker* 1-1  
James N. Baker, Reg. No. 40,899

for Mel R. Quintos  
Attorney for Applicant  
Reg. No. 31,898

MRQ/JNB/ak

Atty. Docket No. 050794  
Suite 400  
1420 K Street, N.W.  
Washington, D.C. 20005  
(202) 659-2930

\*23850\*  
23850  
PATENT & TRADEMARK OFFICE